

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Avi J. ASHKENAZI	
Confirmation No.: 1337	Examiner: Gary B. Nickol
Serial No.: 09/993,234	
Filed: November 19, 2001	Group Art Unit: 1642
For: APO-2LI AND APO-3 POLYPEPTIDES	

NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 1.191)

MAIL STOP AF
 Commissioner of Patents
 U.S. Patent and Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed December 14, 2004, finally rejecting claims 34, 36-39.

A petition to extend the period for submitting the Notice of Appeal in response to the Final Office Action, dated December 14, 2004, is being filed concurrently herewith.

A Response/Amendment Transmittal and Petition for Extension of Time, along with authorization to charge \$1,520.00 (\$500.00 filing fee for the Notice of Appeal, plus \$1,020.00, the three month extension fee under 37 C.F.R. § 1.117(a)(3)) to Sidley Austin Brown & Wood's Deposit Account No. 18-1260, referencing Docket No. 22338-1207, is respectfully submitted herewith. In addition, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee or credit any overpayment to the same account.

Respectfully submitted,

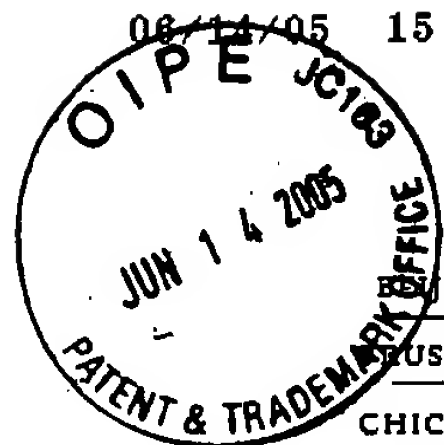
David L. Devernoe
 Registration No. 50,128

Date: June 14, 2005

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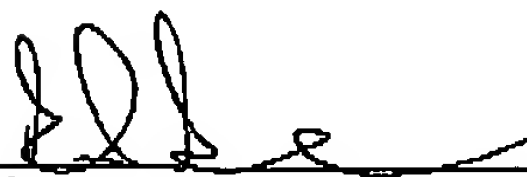
Date: June 14, 2005		No. of pages including cover sheet: 8	
To: Commissioner for Patents		U.S. Patent and Trademark Office	
Telephone #: 202/736-8143		Fax #: 703/746-4000	
From: David L. Devernoe		Ext.	Floor: 10th

RE: Serial No.: 09/993,234 Group Art Unit: 1642
Confirmation No.: 1337 Examiner: NICKOL, Gary B.
Filed: November 19, 2001
Applicant: Avi J. ASHKENAZI
For: APO-2LI AND APO-3 POLYPEPTIDES

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I CERTIFY THAT THE FOLLOWING DOCUMENT IS BEING TRANSMITTED TO THE USPTO AT FAX NUMBER (703) 746-4000 ON THE DATE SHOWN:

REPLY UNDER 37 C.F.R. § 1.116 (5 PGS)
PETITION FOR THREE MONTHS EXTENSION OF TIME (1 PG)
NOTICE OF APPEAL (1 PG)


SIGNATURE

David Devernoe
PRINTED NAME

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